

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

BRANDON LIVAS, ET AL.)	CIVIL ACTION NO. 20-cv-00422
)	
VERSUS)	JUDGE DOUGHTY
)	
RODNEY MYERS, ET AL.)	MAGISTRATE JUDGE KAY
)	

RESPONDENTS' MOTION TO DISMISS

NOW COME Respondents¹, Rodney Myers, Warden of Oakdale Federal Correctional Institutions and Michael Carvajal, Federal Bureau of Prisons Director, in their official capacities, by and through David C. Joseph, United States Attorney for the Western District of Louisiana, and Karen J. King, Assistant United States Attorney, and respectfully move this Court to dismiss the Petitioners' original Petition for Writ of Habeas Corpus, Injunctive, and Declaratory Relief, for lack of subject matter jurisdiction, or alternatively, for failure to state a claim, pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6), and as more fully explained in the Memorandum in Support filed simultaneously herewith.

Respectfully Submitted,

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¹ As April 15, 2020, Counsel for Respondents has been unable to verify that service of the petition has been properly made pursuant to Rule 4(i), FED.R.CIV.P.